

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Interstate Gas Supply of Illinois, Inc.	:	
	:	
	:	08-0078
Petition for Emergency Relief to Protect Portions of IGS's Report of Continued Compliance as an Alternative Gas Supplier	:	
	:	

ORDER

By the Commission:

On January 31, 2008, Interstate Gas Supply of Illinois, Inc., ("Petitioner") filed a verified petition requesting that the Illinois Commerce Commission ("Commission") enter an order protecting its Compliance Report and Attachments (A)(1)-(3) as an Alternative Gas Supplier from disclosure for not less than five years to safeguard highly proprietary information.

Petitioner is certified by the Commission as an Alternative Gas Supplier ("AGS"). The petition indicates that the Petitioner's Report of Continued Compliance ("Compliance Report") as an AGS contains confidential commercial and financial information that is proprietary and confidential, and that the disclosure of which to competitors could be detrimental to Petitioner. The petition further indicates that the report relates to Petitioner's continuing obligation to comply with the requirements for certification pursuant to Section 19-110 of the Public Utilities Act ("Act") and 83 Ill. Adm. Code 551 ("Part 551"). All facts necessary for the Commission to grant the requested relief are contained in the petition; thus a hearing was waived.

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Interstate Gas Supply of Illinois, Inc., is certified by the Commission as an Alternative Gas Supplier;
- (2) the Commission has jurisdiction of the parties and the subject matter herein;
- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the petition and are hereby adopted as findings of fact:

Section 5-109 of the Act states, in relevant part:

All reports made to the Commission by any public utility and the contents thereof shall be open to public inspections, unless otherwise ordered by the Commission;

- (4) Section 7(g) of the Illinois Freedom of Information Act (5 ILCS 140/7) exempts from disclosure:

Trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm;

- (5) the verified petition states that Petitioner's Compliance Report and Attachments (A)(1)-(3) as an Alternative Gas Supplier falls within the exemption stated in Finding (4);
- (6) Petitioner's Compliance Report and Attachments (A)(1)-(3) filed on January 31, 2008 shall be exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information Act and Section 5-109 of the Public Utilities Act for a period of five (5) years from the date of this Order; and
- (7) Petitioner shall submit with its Compliance Report and Attachments (A)(1)-(3), a cover letter indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the Compliance Report and Attachments (A)(1)-(3) as an Alternative Gas Supplier are exempted from disclosure for not less than five years and will be accessible only by the Commission and the Commission Staff for a period of five (5) years from the date of this Order.

IT IS FURTHER ORDERED that a cover letter shall be submitted with the Petitioner's Compliance Report and Attachments (A)(1)-(3) filed by the Petitioner indicating that the proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS FURTHER ORDERED that the Illinois Commerce Commission retains jurisdiction over Petitioner and the subject matter hereof for the purpose of issuing such further order or orders as it may deem necessary.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 9th day of April, 2008.

(SIGNED) CHARLES E. BOX

Chairman